

NATIONAL RECREATION AND PRESERVATION

Appropriation Language

For expenses necessary to carry out recreation programs, natural programs, cultural programs, [heritage partnership programs,]environmental compliance and review, international park affairs, [statutory or contractual aid for other activities,]and grant administration, not otherwise provided for, [\$54,965,000] \$33,261,000: *Provided*, That none of the funds in this Act for the River, Trails and Conservation Assistance program may be used for cash agreements, or for cooperative agreements that are inconsistent with the program's final strategic plan. (Department of the Interior, Environment, and Related Agencies Appropriations Act, 2006.)

Justification of Major Proposed Language Changes

1. Deletion: "heritage partnership programs,"

This funding is not requested for FY 2007 under this appropriation.

2. Deletion: "statutory or contractual aid for other activities"

This funding is not requested for FY 2007 under this appropriation.

Authorizing Statutes

General

16 USC 1 to 16 National Park Service Organic Act establishes the National Park Service and provides for supervision of the parks by a Director; authorizes a variety of administrative activities, including contracting, cooperative agreements, addition of areas to the National Park System; establishes the authority to designate law enforcement officers; provides for the publishing of rules and regulations for park areas; authorizes rights-of-way, medical services for employees, emergency aid to visitors, and central supply warehouses.

16 USC 4601 to 4601-34 The Land and Water Conservation Fund Act of 1965 authorizes certain activities with the common purpose of helping provide outdoor recreation resources; these include: inventory, evaluation, and classification of needs and resources; formulation of a comprehensive nationwide recreation plan; technical assistance to non-federal entities; encouragement of cooperation among States and Federal entities; research and education.

16 USC 470a(e) National Historic Preservation Act authorizes administration of a program of historic preservation grants to States, Indian Tribes, and nonprofit organizations representing ethnic or minority groups for the preservation of their cultural heritage.

Public Law 108-108 Department of the Interior and Related Agencies Appropriations Act, 2004 (Title III, Sec. 344) applies an across-the-board rescission "equal to 0.646 percent of" the budget authority provided for any discretionary account in the Act and any provided in advance appropriation for any discretionary account in the Act for FY 2004, by proportionate application.

Public Law 108-447 reduces amounts in FY 2005 Department of Interior appropriations by 0.594%; further reduces most FY 2005 appropriations Governmentwide by 0.8%.

Public Law 109-54 reduces amounts in FY 2006 Department of Interior appropriations by 0.476%.

Public Law 109-148 reduces amounts in FY 2006 appropriations Governmentwide by 1.0%.

Activity: Recreation Programs

40 USC 484(k)(2) to (3) Federal Property and Administrative Services Act, as amended, authorizes disposal of Federal surplus real property for use as public park or recreation areas, and requires determination and enforcement of compliance with terms of disposal.

Activity: Natural Programs

16 USC 1241 to 1251 National Trails System Act sets prerequisites for inclusion of trails in the National Scenic and National Historic Trails system; prescribes procedures for designation of trails and administration of the system; and establishes a number of specific trails.

16 USC 1262 establishes the National Recreation Trails Advisory Commission.

16 USC 1271 to 1287 Wild and Scenic Rivers Act, as amended, establishes Wild and Scenic Rivers system, prescribes how the system will be administered and designates specific rivers for inclusion; prohibits FERC from licensing dams or other project works directly affecting a river so designated.

Activity: Cultural Programs

16 USC 461 to 467 Historic Sites Act declares it national policy to protect historic sites, buildings, and objects; establishes various National Historic Sites, National Battlefield Sites, National Heritage Corridors, National Heritage Areas and National Heritage Partnerships; authorizes appropriation of funds for this purpose; provides specific authority for the Secretary to acquire property and to restore, reconstruct, rehabilitate, preserve, and maintain historic and prehistoric sites, buildings, objects, and properties of national historical or archeological significance.

16 USC 469 to 469c-2 Archeological and National Historic Preservation Act of 1974 establishes a program for preservation of historical and archeological data which might otherwise be lost or destroyed as a result of a Federal or Federally-assisted or licensed project, activity, or program, and authorizes appropriation of specific amounts for this purpose.

16 USC 469k American Battlefield Protection Act of 1966 establishes the American Battlefield Protection Program to assist citizens, public and private institutions and governments in planning, interpreting and protecting sites where historic battles were fought.

16 USC 470 National Historic Preservation Act provides for assistance to non-Federal entities for the preservation of their cultural heritage. It establishes a program for preservation of historical and archeological data which might otherwise be lost or destroyed as the result of a Federal or Federally-assisted or licenses project, activity, or program.

16 USC 470a National Historic Preservation Act establishes the National Register of Historic Places and regulations for State Historic Preservation Districts; provides for assistance to Indian Tribes in preserving their historic properties.

16 USC 470x establishes the National Center for Preservation Technology and Training to address the complexity of technical problems encountered in preserving historic properties.

16 USC 470aa to 470mm secures the protection of archeological resources on public land and Indian land; provides for excavation and removal permits; addresses custodial issues, penalties for violations, and disposition of properties.

16 USC 1908 Mining in the National Parks Act of 1976 directs the Secretary to take certain actions when a district, site, building, structure or object that has been designated as a national or historical landmark may be lost or destroyed.

25 USC 3001 to 3013 Native American Graves Protection and Repatriation Act of 1990 provides for the inventory, protection, management and repatriation of human remains and cultural items.

26 USC 46(b)(4) and 48(g) Tax Reform Act of 1986 authorizes tax credit for rehabilitation of historic buildings and outlines conditions for qualification.

Activity: Environmental Compliance and Review

16 USC 797(e) and 803(a) The Federal Power Act requires that in licensing power generation projects, the recommendations of agencies with administration over relevant resources be considered; requires licenses to include conditions for protection of wildlife habitat.

42 USC 4321 to 4347 National Environmental Policy Act requires agencies to monitor, evaluate and control their activities so as to protect and enhance the quality of the environment; requires that a detailed statement be prepared for any major Federal action significantly affecting the quality of the human environment.

49 USC 303 Department of Transportation Act of 1966 requires review of proposed Department of Transportation projects which could have an adverse impact on public park and recreation areas and historic sites.

16 USC 1278 Wild and Scenic Rivers Act requires agencies to notify Interior of any proceeding, study, or other activity which affects or may affect wild and scenic rivers under its jurisdiction.

16 USC 3505 Coastal Barrier Resources Act permits expenditures for the purpose of studying management, protection and enhancement of fish and wildlife resources and habitats.

Activity: Grants Administration

16 USC 470 National Historic Preservation Act prescribes responsibilities for administration of the historic preservation program

25 USC 3001 to 3013 Native American Graves Protection and Repatriation Act of 1990 provides for the inventory, protection, management and repatriation of human remains and cultural items.

Activity: International Park Affairs

16 USC 470a-1 and a-2 National Historic Preservation Act authorizes the administration of a grant program in certain areas outside the United States.

16 USC 470a(e)(6)(A) National Historic Preservation Act authorizes cooperation with other nations and international organizations in connection with the World Heritage Convention.

16 USC 470i National Historic Preservation Act declares it Federal policy "in cooperation with other nations [to] provide leadership in the preservation of the prehistoric and historic resources of the international community of nations..."

16 USC 1537 requires or authorizes the Secretary to encourage or cooperate in certain ways with other nations in the conservation of fish or wildlife and plants, refers to United States commitment to the worldwide protection of endangered or threatened species, and requires cooperation with other nations to implement the Convention on Nature Protection and Wildlife Preservation in the Western Hemisphere.